Docket and File

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USA v. Sean McCabe
15 Cr 100 (GHW-2)

June 6, 2016

Dear The Honorable Gregory Woods:

Your Honor, first and foremost I would like to thank you and the court for taking the time to read and consider this letter. I have not had an opportunity to talk directly with anyone in a position of authority up to this point, so the opportunity means the world to me. Thank you.

I have thought long and hard about what to include in this letter, but cannot seem to make up my mind about which direction to go with it. Please forgive any meanderings. Most of the things that I felt needed to be said were included in the Sentencing Memorandum that my attorney, Robert Gershman, submitted to the court on May 23rd, 2016. I am left with only the desire to communicate to Your Honor a bit about my state of mind when I committed this crime, not as a justification - none is possible - but as a means to better understand me and my situation at the time.

I feel that it is important that I state that my crime and my actions as a whole were acts of desperation, not greed. It has been said that desperate people do desperate (and often horrifically stupid!) things. I think truer words have never been spoken. By now, I am sure that you have had an opportunity to read the Sentencing Memorandum, and I do not wish to waste your time by rehashing events that you already are already familiar with. Had it not been for the overwhelming stress and pressure I was under at the time, I never would have done the things I did. As I reflect upon it now, I can see that I had other options, but I could not see that at the time. I do not understand why I chose to get involved with those people, and agreed to carry that bag of money, other than that I felt an absolute obligation to try to help those that had counted on and believed in me. I really did see it as the only way to protect everyone that I cared about. I felt that the failure of the mining project was my responsibility; the consequences, my fault. I couldn't live with that. I had to do something, Your Honor. Unfortunately, my judgment was poor and my thinking skewed. I had never felt such guilt or anguish in my life. If I had a time machine, I wouldn't go back to the day before my arrest, nor the day before I committed this crime; rather, I would go back to 2013, before Mr. Raff and myself travelled to Colombia for the first time, and not get involved in the mine.

Several years ago - perhaps more than a decade - I went to the University if Miami to listen to His Holiness The Dalai Lama speak. It was a long affair - more than eight hours. Frankly, most of his teachings were over my head as I was just beginning to study Buddhism. I did take a few things away from the experience, not the least of which was something he said: "In your life, you will come upon beings in need. Do whatever you can to help them. If you can't help them, at least don't harm them." I subscribe to that philosophy, Your Honor. I believe it to be a "truth." I am just sorry, in many ways, how I went about trying to help.

To say that I am sorry and that I regret my actions would be the understatement of the century. I regret what I have done to both my and the Raff families. The thought of the financial and emotional hardships I have put them through weighs, and will forever weigh heavily upon me. They have both been extremely supportive of me since I was arrested, and frankly, kept me from going over the emotional/psychological edge. I also regret ever getting them involved in the mining project. All of this would have been avoided had I exercised better judgment. I regret the impact my actions could have had on the community. I have spent the vast majority of my life aligned against narcotics and their use because I have seen first-hand their effects on both people and the communities at large. I betrayed my own core values. I regret that the government has had to take time and resources to correct my actions. Finally, I regret the fact that, due to the stupidity of my actions, Your Honor must take the time and effort to deal with this case.

In the time since my arrest, I have sought to make amends in any way possible. Due to the fact that I have been incarcerated since my arrest, my options were limited. But still I tried.
Shorty after my arrival to MCC New York, I became aware of a problem that I felt needed to be addressed: a severe lack of education among the majority of inmates. It was clear to me how it both limited their possibilities of getting out of their previous lives/habits and how it negatively affected their paradigms of society and their potential role in it. I made a decision to help - not one by one, but en masse. I tried to create a culture of learning in my unit, and created the mantras "Leave Better Than You Came" and "Use the Time." I created a curriculum that had to be adhered to in order to achieve success (hoping that the structure of a schedule would have an impact on their discipline). I think it was successful.

Something unexpected happened along the way, though. I became aware that I not only enjoyed teaching and helping others, but that I was good at it as well. I hope in the future, after my release, to become involved with teaching At Risk Youth or continuing to teach English as a Second Language - maybe both. Maybe I can help to balance the scales of karma by doing as much good as I can.

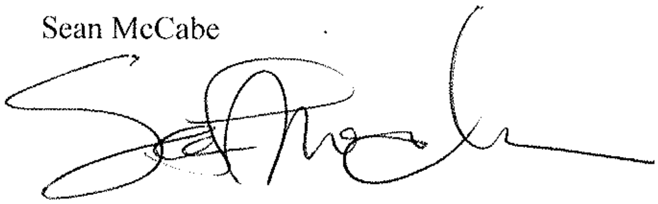
I want to also tell you, Your Honor, that before I agreed to carry that bag of money I was not leading a life of crime. It seems that all of the people I have met in jail had been involved in whatever activities landed them here for years before finally getting caught. I do not know if you consider this to be relevant or not, but it is the truth. I have made every effort to be cooperative with the government, but the prosecutor seems to believe that I am not telling the truth. In response, I took a polygraph (paid for by my mother) and offered to take another in order to calm any doubts they had about me. They declined.

Due to the fact that I am not a person that tries to make his living in illegal or nefarious ways, my chances of recidivism are between "low" and "non-existent." When I am released, I vow to work hard to get my life back in order and be an asset to the community once again. I am committed to rebuilding the relationships with and regaining the trust of all the people who have supported me.

I understand that I committed an egregious offense and must be punished. I fully take responsibility for my actions. I give you my word on all that I love that I will never be in front of this, or any criminal court, again. In short, Your Honor, I ask you to allow me to return to my loved ones as soon as you believe is prudent. I have made so many mistakes; I promise that I have learned to stop making the same ones over and over again. I just hope and pray for a simple happy life, and ask you to help me get there.

Thank you, Your Honor, for your time and consideration.

Sincerely,

Sean McCabe